

International Centre for Settlement of Investment Disputes

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January 27, 2009

By e-mail

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c/o Mr. Todd Grierson-Weiler
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and
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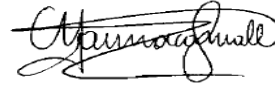
Re: Grand River Enterprises *et al* v. United States of America – NAFTA/UNCITRAL Arbitration Rules Proceeding

Dear Mesdames and Sirs,

I write to you as directed by the Tribunal. The Tribunal has received an unsolicited letter from a non-party supporting a Party in the pending arbitration. In considering whether to accept and consider this letter, or any other submissions by non-Parties, the Tribunal intends to be guided by the October 7, 2003 Free Trade

Commission's statement on non-party participation and will decide in due course whether to consider the submission, in light of any views the Parties may wish to indicate in the Reply and Rejoinder.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Katia Yannaca-Small', with a stylized, cursive script.

Katia Yannaca-Small
Secretary of the Tribunal

cc: Members of the Tribunal